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PATENT



Practitioner's Docket No. 1956/123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Alan L. Taylor, Jeffrey Lucovsky and Karl Owen

Application No.: 09/376,173

Group No.: 2126

Filed: 08/17/1999

Examiner: Zhen, L.

For: System, Device, and Method for Interprocessor Communication in a Computer System

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
2126**

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Commissioner for Patents
P.O. Box 1450
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Technology Center 2100

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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Date: June 29, 2004

Robert M. Asher

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fee
Total	21	Minus	27	= 0	x \$18 =	\$0
Indep	3	Minus	5	= 0	x \$86 =	\$0
First Presentation of Multiple Dependent Claim					+ \$290 =	\$0
					Total Addit. Fee	\$0

No additional fee for claims is required.

FEE DEFICIENCY

5. If an extension and/or fee is required, charge Account No. 19-4972.

If a fee for claims is required, charge Account No. 19-4972.

Date: June 29, 2004



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01956/00123 319992.1




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Taylor et al. Att'y Docket: 1956/123
App. No.: 09/376,173 Art Unit: 2126
Filing Date: August 17, 1999 Examiner: Zhen, L.

For: SYSTEM DEVICE AND METHOD FOR INTERPROCESSOR COMMUNICATION
IN A COMPUTER SYSTEM

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 29, 2004.


Robert M. Asher

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AMENDMENT UNDER RULE 116

(Expedited Procedure - - Technology Center 2126)

Sir:

In response to the Final Office Action mailed April 16, 2004, Applicants respectfully traverse the rejection based on newly cited reference Aditham. Applicants respectfully submit that the client-target message passing service of Applicant's invention is not obvious in view of the cited art including the non-analogous collaborative application framework of Aditham. The claims are thus believed to be in condition for allowance.

Summary of Interview

Applicants thank the Examiner for the courtesy of an interview held on June 29 with Applicants' counsel. The Examiner considered the Remarks given below, but as to claims 1 and 10 he read the claims more broadly than Applicants intended. Applicants intend that the message passing service provide communication services between a client application and at least one target application. The session control logic opens a session to allow these communications. This is made explicit in claims 2 and 11 by the additional elements, which recite that synchronous and asynchronous communication services are provided over the message passing service session. The cited prior art references fail to disclose or suggest session control logic that enables the synchronous communication service and/or the asynchronous communication services over a message passing service session as claimed.

Claim 22 includes sending an asynchronous message over the session and receiving a confirmation over the session. Claim 22 should be allowable as explained below.

The remarks below were previously sent to the Examiner for review, with the exception of the underlined text.